

CITY OF MANISTEE PLANNING COMMISSION

70 Maple Street
Manistee, MI 49660

MEETING MINUTES

January 8, 2015

A meeting of the Manistee City Planning Commission was held on Thursday, January 8, 2015 at 7pm in the Council Chambers, City Hall, 70 Maple Street, Manistee, Michigan.

Meeting was called to order at 7:02 pm by Chair Yoder

Roll Call:

Members Present: Maureen Barry, Judd Brown, Ray Fortier, Mark Wittlieff, Roger Yoder

Members Absent: Bill Dean (excused), Marlene McBride (excused)

Others: Mitch Deisch (City Manager), Ed Seng (200 River Street), and Denise Blakeslee (Planning & Zoning Administrator)

APPROVAL OF AGENDA

Motion by Ray Fortier, seconded by Judd Brown that the agenda be approved as prepared.

With a Roll Call vote this motion passed 5 to 0.

Yes: Barry, Brown, Fortier, Wittlieff, Yoder

No: None

APPROVAL OF MINUTES

Motion by Ray Fortier, seconded by Judd Brown that the minutes of the December 4, 2014 Planning Commission Meeting be approved as prepared.

With a Roll Call vote this motion passed 5 to 0.

Yes: Fortier, Barry, Brown, Wittlieff, Yoder

No: None

PUBLIC HEARING

None

PUBLIC COMMENT ON AGENDA RELATED ITEMS

None

NEW BUSINESS

Sub-Committee Appointments

According to the By-Laws of the City of Manistee Planning Commission the Chair will appoint members of the Planning Commission to serve on Sub-Committees of the Planning Commission and one member who shall serve on the Zoning Board of Appeals.

Executive Committee (Chair, Vice Chair, Secretary)/ Ordinance Re-Write Committee - Members of this committee will assist in reviewing the Zoning Ordinance for areas that need to be changed and/or updated and if needed review Zoning Ordinance Amendments with the City Council Ordinance Review Committee. *Meet as needed*

Chair Yoder appointed: **Ray Fortier - Vice Chair, Marlene McBride – Secretary, Roger Yoder - Chair**

Master Plan Review Committee/Green Initiative - Ad Hoc Committee - Members of this committee will be responsible to keep current with new trends/changes that are going on in the community that could impact the Master Plan and will review Green Initiative programs for the City of Manistee. These programs could include wind, solar and alternative energy programs that would benefit the community. *Meet as needed*

Chair Yoder appointed: **Bill Dean, Marlene McBride, and Judd Brown**

Site Plan Review/ Subdivision Committee - Site Plan Review Committee – Needed for Medium Site Plans for new construction; the Zoning Administrator has the option to forward requests to the Committee. Committee Review required for Planned Unit Developments. Subdivision Committee - This committee is required under section 1242.03 of the Code of Ordinances. *Meet as needed*

Chair Yoder appointed: **Bill Dean, Mark Wittlieff, and Roger Yoder**

Chair Yoder appointed 2 Alternates: **Maureen Barry and Judd Brown**

Zoning Board of Appeals - One member of the Planning Commission will be appointed as the **Planning Commission Representative on the Zoning Board of Appeals**.

Chair Yoder appointed **Ray Fortier**

County Wide Park & Recreation Plan Leadership Team - Manistee County and the Alliance for Economic Success have requested that one member of the City of Manistee Planning Commission serve on the County Wide Park & Recreation Plan Leadership Team.

Chair Yoder appointed **Maureen Barry and Judd Brown**

By Law Review

According to the By-Laws of the City of Manistee Planning Commission the commission shall annually review their By-Laws at the regularly scheduled meeting in January.

No Changes were made to the By-Laws.

Master Plan Review

Under Section 125.3845, Sec. 45 (2) "At least every 5 years after adoption of a master plan, a planning commission shall review the master plan and determine whether to commence the procedure to amend the master plan or adopt a new master plan. The review and its findings shall be recorded in the minutes of the relevant meeting or meetings of the planning commission."

Motion by Mark Wittlieff, seconded by Maureen Barry that the Planning Commission will continue their work on rewriting the City of Manistee Master Plan

With a Roll Call vote this motion passed 5 to 0.

Yes: Wittlieff, Fortier, Barry, Brown, Yoder

No: None

Michigan Right to Farm Act/GAAMP

Due to the severe weather the commission will add this item to the January Worksession.

Manistee County Regional Parks, Recreation and Trail Development Plan Initiative

Due to the severe weather the commission will add this item to the January Worksession.

OLD BUSINESS

Zoning Review P-D Peninsula District

City Council has requested the Planning Commission review the current Zoning of the Peninsula District and review the zoning ordinance for specific uses that need to be addressed. A final draft of Findings of Facts was sent to the Commission to review and approve.

MOTION by Maureen Barry, seconded by Judd Brown that the Planning Commission has completed their review of the P-D Peninsula District as requested by City Council, prepared a Finding of Facts (attached) that will be certified by the Secretary of the Planning Commission than forwarded to City Council.

With a Roll Call vote this motion passed 4 to 1.

Yes: Barry, Brown, Wittlieff, Yoder
No: Fortier

PUBLIC COMMENTS AND COMMUNICATIONS

None

CORRESPONDENCE

None

STAFF/SUB-COMMITTEE REPORTS

Denise Blakeslee, Planning & Zoning Administrator – Spoke to the Commission about inquiries to provide for Transient Housing/Homeless Shelter, this will be added to the January Worksession Agenda for discussion along with discussion about City owned property.

Mitch Deisch, City Manager – Spoke to the Commission about the remaining privately owned parcel on Man Made Lake.

MEMBERS DISCUSSION

None

The Planning Commission will hold a Worksession on January 22, 2015

The next regular meeting of the Planning Commission will be held on Thursday, February 5, 2015

ADJOURNMENT

Motion by Ray Fortier, seconded by Judd Brown that the meeting be adjourned. MOTION PASSED UNANIMOUSLY.

Meeting adjourned at 7:35 pm

MANISTEE PLANNING COMMISSION

Denise J. Blakeslee, Recording Secretary

Report of Findings



TO: City Council

FROM: City of Manistee Planning Commission

DATE: January 8, 2015

RE: P-D Peninsula District Review

The Planning Commission has completed the review of the P-D Peninsula as requested by City Council. Each parcel was reviewed for dimensional standards, use and if it were a legal non-conformity (grandfathered). This discussion began at the August 7, 2014 Meeting where the Commission began to review the parcels and existing land uses for each parcel in the District. Staff sent out an invitation to the property owners and occupants in the district that invited them to the September 4, 2014 meeting asking them for their input on the zoning uses in the P-D Peninsula District. The Commission received public input where 12 people spoke and five letters were received.

At the September Worksession the Commission continued their review of P-D Peninsula District. The Commission reviewed the Old Zoning Districts and discussed concerns by residents in the area of Smith Street and Webster Court wanting to be in a Residential District instead of the Peninsula District. Staff reviewed the table of uses for the P-D Peninsula District Zoning and the uses allowed under the old ordinance (prior to March 27, 2006) and dimensional standards.

At the October meeting Staff prepared a review of the Parcels in the PD Peninsula and the adjoining R-3 High Density Residential District. This was done to determine how many parcels met the dimensional standards of the Zoning District and how many non-conforming parcels there are. The uses of the parcels were compared to determine how many conformed to the district standards and how many were non-conforming. Review of the Table of Uses at the October Worksession included suggested changes and Items to further discuss included:

Animal Grooming	Consider adding as a Special Use
Contractors Facilities	Further Discussion
Day Care, Group	Consider adding as a Special Use
Eating and Drinking Establishment	Change to Use by Right
Financial Institution	Further Discussion
Greenhouse & Nursery	Consider adding as Special Use
Shipping Facility	Further Discussion

The Commission also discussed parking requirements.

The Commission continued their review of the P-D Peninsula District at the November meeting. Outstanding items include:

- What is the Commission's vision for the Peninsula?
- Does the Peninsula Redevelopment Plan still apply?
- Should changes be made to the Dimensional Standards in the Peninsula?
- What changes should be made to the Uses in the Peninsula?
- Should there be changes to the Parking Requirements?

There are two properties in the P-D Peninsula District that were designated by the Michigan Legislature as Renaissance Zones. The Renaissance Zone expires on December 31, 2014. The Report of Findings should include a recommendation for a Zoning Amendment that would delete Section 605 Peninsula District Renaissance Zone Standards.

Staff prepared a Parcel Area Comparison Table of Commercial/Industrial District for review. A table of Uses with the discussion from the October 16, 2014 Worksession noted and a copy of Section 514 Parking Standards for further discussion. The Commission discussed the Purpose and Intent of the District to see if any changes should be considered.

On November 20, 2014 the Commission began to draft their Report of Findings that was finalized at their January 8, 2015 meeting. After six meetings and three worksession the findings of the Commission are as follows:

Section 600 Purpose and Intent

A Zoning Amendment should be considered that would amend Section 600 Purpose and Intent in the P-D Peninsula District as follows:

It is the intent of this District to establish a mixed-use district incorporating a variety of recreational, residential, business or service uses on or near the Waterfront. This district is intended to encourage and promote sustainable, environmentally and aesthetically compatible developments that use or compliment the shoreline while promoting expanded use of the shoreline by the public. The District is intended to host a variety of land uses including, but not limited to, residential, commercial, entertainment, recreational, service, and **mixed use**.

Section 601 Uses Permitted by Right

After a detailed review of the Table of Uses the findings of the Commission are as follows:

A Zoning Amendment should be considered that would amend Section 601 Uses Permitted by Right in the P-D Peninsula District as follows:

1. **ADD Contractors Facility**
2. **ADD Eating and Drinking Establishments** – change from a Special Use
3. **ADD Mixed Use** – change from a Special Use

Section 602 Uses Permitted by Special Land Use

After a detailed review of the Table of Uses the findings of the Commission are as follows:

A Zoning Amendment should be considered that would amend Section 602 Uses Permitted by Special Land Use in the P-D Peninsula District as follows:

1. **ADD Animal Grooming**
2. **DELETE Eating and Drinking Establishment** – Changing to a Use by Right
3. **ADD Financial Institution** – Change from a Special Use Requiring Key Street Frontage
4. **ADD Greenhouse & Nursery**
5. **DELETE Mixed Use** – Changing to a Use by Right

6. **Shipping Facility** - The Planning Commission would consider allowing a Shipping Facility as a Special Use in the P-D if language could be developed that the Commission is comfortable with.

DELETE Section 603 Uses Permitted by Special Land Use Permit, Requires Frontage on a Key Street Segment

There are only three parcels with Key Street Frontage (US 31/Cypress Street) in the P-D Peninsula District. The findings of the Commission are as follows:

1. DELETE - **Financial Institution** – Changing to a Special Use
2. DELETE - **Motel**
3. DELETE - **Places of Public Assembly, Large**
4. DELETE - **Theater**

Section 604 Dimensional Standards

The Commission reviewed each of the 74 Parcels/67 Zoning Parcels (7 Zoning Lots) in the P-D District.

- 22 Legal Non-Conforming Parcels that do not meet the Minimum Lot Dimensional requirements
- 21 Parcels meet the Minimum Lot Dimensional Requirement for a Single Unit
 - 7 Legal Non-Conforming Uses (Commercial/Multi Family – parcels too small)
- 24 Parcels meet the Minimum Lot Dimensional Requirements for a Duplex or Commercial Use
 - 7 Legal-Non-Conforming Uses (Uses not permitted in the P-D Peninsula District)
 - Accessory Structure – No primary structure on parcel
 - Processing & Manufacturing
 - Contractor's Facility
 - Warehouse's (4 parcels)

The findings of the Commission are as follows:

A Zoning Amendment should be considered that would amend the Dimensional Requirements in the P-D Peninsula District as follows:

District	Minimum Lot Dimensions		Maximum Lot Coverage	Minimum Yard Requirements (feet)			Maximum Density	Maximum Height	Minimum Floor Area Per Dwelling and Width
	Area (sq. ft.)	Width (feet)	(%) of gross lot area ^(b)	Front ^(a)	Side	Rear/Waterfront ^(f)	DU/Acre	Feet/stories (Principal Bld)	(Sq.Ft. & Ft)
P-D									
Single Unit	6,000	60							
Duplex or Commercial	10,000	80	60%	15	10	10/20	17	35/2½	550/20
Multi Unit	10,000^(c)	80							

DELETING the standards for requiring larger parcel area and width for Duplex, Commercial and Multi Unit Dwellings in Section 604 and in the Table of Uses.

DELETE Section 605 Peninsula District Renaissance Zone Standards

There are two properties in the P-D Peninsula District that were designated by the Michigan Legislature as Renaissance Zones. The Renaissance Zone expired on December 31, 2014. The findings of the Commission are as follows:

A Zoning Amendment should be considered that would **DELETE** Section 605 Peninsula District Renaissance Zone Standards.

Section 514 Vehicular Parking Space, Access, Bike Parking and Sidewalks

The Commission reviewed the parking and felt that parking in the P-D Peninsula District should be less restrictive. The new streetscape including curb and gutter and sidewalks in the district allows for safe pedestrian movement with on street parking similar to the downtown. The findings of the Commission are as follows:

A Zoning Amendment should be considered that would amend Section 514 Vehicular Parking Space, Access, Bike Parking and Sidewalks as follows:

ADD new item that reads:

For all permitted uses and special uses in the P-D District the parking provisions of this section shall not apply, except hotels, marinas, and places of public assembly.

AMEND item H. by adding P-D as follows:

- H. Within the C-1, C-2, C-3 and **P-D** Districts, the Planning Commission may approve shared parking arrangements among various uses when it can be demonstrated that parking in sufficient quantities for all such uses as set forth in this Section shall be available at all times.

The City of Manistee Planning Commission directs staff to begin the necessary paperwork to draft language for a Zoning Ordinance Amendment.

CITY OF MANISTEE PLANNING COMMISSION:

AYES: Barry, Brown, Wittlieff, Yoder

ABSTAINING: None

NAYS: Fortier

ABSENT: Dean, McBride

MOTION: CARRIED

CERTIFICATION:

I, Marlene McBride, Secretary of the City of Manistee Planning Commission certify that the foregoing is a true and complete record of action taken by the Planning Commission at their regular meeting of January 8, 2015.

Marlene McBride, Secretary

